

ORDINANCE NO. 96- 12

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 83-23, AS AMENDED BY ORDINANCE NO. 85-17 AND ORDINANCE NO. 87-34; AMENDING SECTION 6. CONTRACTING FOR SERVICES; REVISING THE METHOD FOR DETERMINING THE AMOUNT TO BE PAID BY A LOCAL GOVERNMENTAL UNIT FOR SERVICES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 83-23 created municipal service taxing units (MSTUs) to provide fire protection, fire rescue, advance life support (or similar services), and other services necessary and incidental to the purposes for which the MSTUs were created; and

WHEREAS, Ordinance No. 83-23, as amended, provides that any local governmental unit which contracts for the provision of services from a MSTU shall be required to pay as consideration for the services, an amount equal to that amount which would be derived from a levy against the area receiving such services, if the area was included within the MSTU; and

WHEREAS, the Board of County Commissioners has concluded that this method of determining the compensation to be paid to a MSTU for services may not accurately reflect the actual costs of the services provided by the MSTU to the local governmental unit; and

WHEREAS, the Board of County Commissioners has determined that it is in the best interests of the residents of each MSTU and the citizens of Palm Beach County to enable a MSTU to provide services on an actual costs or other appropriate basis to local governmental units not included within a MSTU.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. Subparagraphs (a) and (b) of Section 6., Contracting for Services of Palm Beach County Ordinance No. 83-23, as amended by Ordinance No. 85-17 and Ordinance No. 87-34, are hereby amended to provide as follows:

Section 6. CONTRACTING FOR SERVICES:

(a) A Municipal Service Taxing Unit may enter into an interlocal agreement with Aany municipality, special



1 district, or other unit of local government ~~contracting~~  
2 for the provision of services. The costs of providing  
3 such services shall be specified in the interlocal  
4 agreement. ~~by any said taxing unit shall be required to~~  
5 ~~pay as consideration for such services an amount equal to~~  
6 ~~that amount which would be levied by the taxing unit if~~  
7 ~~the area of said municipality, special district, or other~~  
8 ~~unit of local government served was included in the~~  
9 ~~taxing unit.~~ ~~Adjustments shall be made to said~~  
10 ~~consideration for annexation or deannexation in~~  
11 ~~accordance with the standard set forth in this section.~~  
12 ~~Pro rata adjustments shall be made in accordance with the~~  
13 ~~proportion of the fiscal year for which the area~~  
14 ~~deannexed or annexed is within or without the~~  
15 ~~municipality served.~~

16 (b) Any Palm Beach County ordinance(s) pertaining  
17 to fire protection and/or advance life support/fire  
18 rescue, applicable to the Municipal Service Taxing  
19 Unit(s) shall be applicable to, and effective within the  
20 area of, any municipality, special district, or other  
21 unit of local government which contracts with or is  
22 included within any Municipal Service Taxing Unit for the  
23 provision of services by the taxing unit, unless  
24 otherwise provided by interlocal agreement.

25 SECTION 2. Repeal of Laws in Conflict: All local laws and  
26 ordinances in conflict with any provisions of this ordinance are  
27 hereby repealed to the extent of such conflict.

28 SECTION 3. Severability: If any section, paragraph,  
29 sentence, clause, phrase, or word of this ordinance is for any  
30 reason held by a Court to be unconstitutional, inoperative or void,  
31 such holding shall not affect the remainder of this ordinance.

32 SECTION 4. Inclusion in the Code of Laws and Ordinances: The  
33 provisions of this ordinance shall become and be made a part of the  
34 Code of Laws and Ordinances of Palm Beach County, Florida. The  
35 sections of this ordinance may be renumbered or relettered to



1 accomplish such, and the word "ordinance" may be changed to  
2 "section", "article", or any other appropriate word.

3 SECTION 5. Effective Date: The provisions of this ordinance  
4 shall become effective on May 1, 1996.

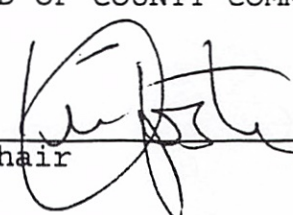
5 APPROVED AND ADOPTED by the Board of County Commissioners of  
6 Palm Beach County, Florida, on the 16th day of April, 1996.

7 ATTEST:

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

8 Dorothy H. Wilken, Clerk  
9

10 By: \_\_\_\_\_  
11 Deputy Clerk

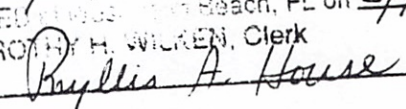
By:  \_\_\_\_\_  
Chair

12 APPROVED AS TO FORM AND  
13 LEGAL SUFFICIENCY

14   
15 County Attorney

16 EFFECTIVE DATE: Filed with the Department of State on the 23rd  
17 day of April, 1996. This ordinance shall become effective  
18 on May 1, 1996.  
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STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners, do hereby certify this to be a  
true and correct copy of the original filed in my office  
on 4/16/96  
DATED at Palm Beach, FL on 5/7/96  
DOROTHY H. WILKEN, Clerk  
By:  D.C.